

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAKEEM ABDUL RASHEED,

Plaintiff,

Civil No. 05-73668
Hon. John Feikens

v.

COMERICA BANK,

Defendant.

OPINION AND ORDER

Plaintiff Rasheed, who is proceeding *in forma pauperis*, brings suit against Defendant Comerica Bank. His petition, which he labels a Writ for Habeas Corpus, appears to argue that Comerica Bank was lawfully obligated to give him \$30 billion dollars in satisfaction of a promissory note allegedly drawn on the U.S. Treasury.

The alleged promissory note has two legal citations: P.L. 73-10 (also called H.J.R. 192, dated June 5, 1933), and a Supreme Court case, Guaranty Trust Co. v. Henwood, 307 U.S. 247 (1938). Both of these citations deal with the United States monetary shift away from the gold standard. Based on these citations, and other portions of his filings referencing the copyrighting of his name and the Uniform Commercial Code, I believe the claimant is attempting bring this case under what has been called the “redemption” theory. Under this theory, each citizen is entitled to redeem the value of an account held by the Treasury Department, which holds the proceeds of a sale of that citizen’s birth certificate. See Bureau of the Public Debt, “Bogus Sight Drafts/Bills of Exchange Drawn on the Treasury,” <http://www.publicdebt.treas.gov>

/cc/ccphony8.htm (last visited on Oct. 31, 2005).

Pleadings by non-lawyers are held to less stringent standards than formal pleadings drafted by lawyers. Haines v. Kerner, 404 U.S. 519 (1972). Even following the dictates of that rule, Plaintiff's Complaint fails to make an argument that has support in the law. It is illegal for an individual to create a document purporting to be a draw on the U.S. Treasury. 18 U.S.C. 514. Therefore, I DISMISS this Complaint for failure to state a claim on which relief could be granted. Fed. R. Civ. P. 12(b)(1).

IT IS SO ORDERED.

Date: November 2, 2005

s/John Feikens

United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on November 2, 2005, by U.S. first class mail or electronic means.

s/Carol Cohron

Case Manager